

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1973



ENROLLED

HOUSE BILL No. 268

(By Mr. Seibert)



PASSED June 28 1973

In Effect July 1, 1973 Passage



FILED IN THE OFFICE  
EDGAR F. WEISKELL III  
SECRETARY OF STATE  
THIS DATE 7-10-73

268

ENROLLED

# House Bill No. 268

(By MR. SEIBERT)

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[Passed June 28, 1973; in effect July 1, 1973.]

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AN ACT to amend and reenact section two, article one, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to public service commission of West Virginia; composition; appointment, qualifications and disqualification of commissioners; removal from office; terms of office; vacancies; increasing salaries.

*Be it enacted by the Legislature of West Virginia:*

That section two, article one, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 1. GENERAL PROVISIONS.**

**§24-1-2. Composition; appointment, qualifications and disqualification of commissioners; removal from office; terms of office; vacancies; salaries.**

1     There shall be a public service commission of West Virginia  
2     which by that name may sue be sued. The unexpired terms of  
3     members of the public service commission at the time this  
4     section becomes effective shall hereby be continued. Such  
5     public service commission shall consist of three members who  
6     shall be appointed by the governor with the advice and con-  
7     sent of the Senate. The commissioners shall be citizens and  
8     residents of this state and at least one of them shall be duly  
9     licensed to practice law in West Virginia, of not less than ten

10 years' actual experience at the bar. No more than two of said  
11 commissioners shall be members of the same political party.  
12 The appointment of a commissioner shall be for a period of  
13 six years, except that an appointment to fill a vacancy shall  
14 be for the unexpired term only. Each commissioner shall,  
15 before entering upon the duties of his office, take and sub-  
16 scribe to the oath provided by section five, article four of the  
17 Constitution, which oath shall be filed in the office of the  
18 secretary of state. The governor shall annually designate one  
19 of the commissioners as chairman who shall be the chief ad-  
20 ministrative officer of the commission. The governor may re-  
21 move any commissioner only for incompetency, neglect of  
22 duty, gross immorality or malfeasance in office.

23 No person while in the employ of, or holding any official  
24 relation to, any public utility subject to the provisions of this  
25 chapter, or holding any stocks or bonds thereof, or who is  
26 pecuniarily interested therein, shall serve as a member of the  
27 commission or as an employee thereof. Nor shall any such  
28 commissioners be a candidate for or hold public office, or be a  
29 member of any political committee, while acting as such com-  
30 missioner; nor shall any commissioner or employee of said  
31 commission receive any pass, free transportation or other thing  
32 of value, either directly or indirectly, from any public utility  
33 subject to the provisions of this chapter. In case any of such  
34 commissioners shall become a candidate for any public office  
35 or a member of any political committee, his office as com-  
36 missioner shall be ipso facto vacated.

37 For the administration of this chapter each commissioner  
38 shall receive a salary of twenty thousand dollars per annum  
39 to be paid in monthly installments from the special fund col-  
40 lected from public utilities under the provisions of subsection  
41 (a), section six, article three of this chapter.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

H. Darrel Darby  
Chairman Senate Committee

Clarence C. Chiverton Jr.  
Chairman House Committee

Originated in the House.

Takes effect July 1, 1973.

Howard W. Carson  
Clerk of the Senate

V. A. Blankenship  
Clerk of the House of Delegates

W. H. Brantley Jr.  
President of the Senate

Lewis M. M. Manner  
Speaker House of Delegates

The within approved this the 10th  
day of July, 1973.

Arch A. Sharrif.  
Governor

PRESENTED TO THE  
GOVERNOR

Date 7/5/73

Time 4:00 p.m.